

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**BERNEST BENJAMIN,**

**Petitioner,**

**v.**

**No. 17-cv-1274 JCH/SMV**

**ATTORNEY GENERAL OF THE  
STATE OF NEW MEXICO and GERMAN FRANCO,**

**Respondents.**

**ORDER GRANTING PETITIONER'S  
SECOND MOTION FOR EXTENSION OF TIME**

THIS MATTER is before the Court on Petitioner Bernest Benjamin's Motion for Extension of Time [Doc. 17], filed on July 23, 2018. Petitioner moves for a 30-day extension of time in which to respond to the Court's April 9, 2018 Order to Show Cause [Doc. 7], to explain why his § 2254 petition should not be dismissed as time-barred and moot. [Doc. 17]. The Court notes that this is Petitioner's second request for extension of time. *See* [Docs. 13, 14]. Additionally, the deadline for submission of Petitioner's show-cause response has been extended due to Plaintiff's prior failure to update his mailing address with the Court. *See* [Doc. 11].

Petitioner's motion for extension of time will be granted, but Petitioner is notified that any further requests for extension of time must be supported by *extraordinary cause*. Petitioner's written response to the Court's April 9, 2018 Order to Show Cause [Doc. 7] must be submitted within **30 days** of the date of entry of this order. Failure to timely file a written response may result in the dismissal of Petitioner's § 2254 Petition without further notice.

**IT IS THEREFORE ORDERED** that Petitioner's Motion for Extension of Time [Doc. 17] is **GRANTED**; Petitioner's written response to the Court's April 9, 2018 Order to Show Cause [Doc. 7] must be submitted within **30 days** of the date of entry of this order, no later than **August 29, 2018**.

**IT IS SO ORDERED.**



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**STEPHAN M. VIDMAR**  
United States Magistrate Judge